

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TAMARA CARTER individually and as
Administrator of the ESTATE OF BRANDON
RODRIGUEZ

Civil Action No.

1:22-CV-06798

Plaintiffs,

Compromise Order

vs.

CITY OF NEW YORK, NEW YORK CITY HEALTH
AND HOSPITALS CORPORATION, MENTAL HEALTH
PROFESSIONAL MARIE RICHARD, JOHN/JANE DOES
1 -10, being fictitious names for DEPARTMENT
OF CORRECTIONS EMPLOYEES AND NEW YORK CITY
HEALTH AND HOSPITALS CORPORATION EMPLOYEES
whose identities are presently unknown,
individually

Defendant.

VERNON S. BRODERICK, United States District Judge:

Upon the reading and filing of the declaration of Tamara Carter, the declaration of William O. Wagstaff III, Esq. and upon all prior pleadings and proceedings had herein, the parties having agreed to a settlement for the sum of TWO MILLION TWO HUNDRED FIFTY THOUSAND dollars (\$2,250,000) on behalf of The City of New York and it appearing that the best interests of the Estate will be served by settlement of this action; Estate Administrator Tamara Carter's application for

permission to settle the case on behalf of the Estate of Brandon Rodriguez is **GRANTED**.

ORDERED *that*, Tamara Carter, as Administrator of the Estate of Brandon Rodriguez, is hereby authorized and empowered to enter into a compromise of settlement of the estate's claim against The City of New York in the amount of TWO MILLION TWO HUNDRED AND FIFTY THOUSAND and 00/100 (\$2,250,000.00) dollars; and it is further

ORDERED *that*, the total sum of TWO MILLION TWO HUNDRED AND FIFTY THOUSAND and 00/100 (\$2,250,000.00) dollars shall be paid by The City of New York and/or their insurer within the time period set forth in CPLR 5003-a as set forth herein; and it is further

ORDERED *that*, out of the total sum, THE WAGSTAFF FIRM, P.C., is entitled to SEVEN HUNDRED FORTY-NINE THOUSAND TWO HUNDRED FIFTY (\$749,250.00) dollars for legal fees in connection with representing plaintiff in this matter and NINE THOUSAND SEVEN HUNDRED TWENTY THREE dollars AND NINETY SEVEN CENTS (\$9,723.97) for reimbursement of disbursements herein and it is further

ORDERED *that,* the balance thereof, in the sum of ONE MILLION FOUR HUNDRED NINETY ONE THOUSAND TWENTY SIX dollars AND THREE CENTS (\$1,491,026.03), shall be placed in an interest-bearing escrow account for the benefit of any distributees until such time as Westchester County Surrogate's Court has issued an order apportioning and distributing the balance of the settlement proceeds; and it is further

ORDERED *that,* this Court shall retain jurisdiction of this matter for the purpose of enforcing the settlement agreement between plaintiff and defendants as referenced herein, and for the purpose of enforcing or determining any motions concerning the enforcement or modification of this order.

ORDERED *that,* within thirty (30) days of the deposit of said funds in the above-designated bank, a copy of proof of deposit shall be filed with the Court with all confidential personal information redacted, including the infant's full name and the account number, except for the last four digits; and it further

ORDERED *that*, conditioned upon compliance with the terms of this order, Tamara Carter is authorized and empowered to execute and deliver general releases and all other instruments necessary to effectuate the settlement herein, and it further

ORDERED *that*, the filing of a bond be dispensed with.

Dated: January 3, 2024
New York, NY

So Ordered

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, flowing style. The first letter "V" is large and prominent. The signature is positioned above a horizontal line.

Hon. Vernon S. Broderick
United States District Judge